

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SARAH HORTON,

Plaintiff,

v.

TSI FENWAY, INC., d/b/a
BOSTON SPORTS CLUBS,

Defendant.

Civil Action No. 04-CV-12359-MEL

JOINT STIPULATION OF DISMISSAL

Pursuant to FED. R. CIV. P. 41(a)(1)(ii), Plaintiff Sarah Horton hereby dismisses all claims set forth or which could have been set forth in the above entitled civil action against TSI Fenway, Inc. d/b/a Boston Sports Clubs, with prejudice, without costs, with all rights of appeal waived and with each party bearing its own attorneys' fees.

Respectfully submitted,

TSI FENWAY, INC.,

By its attorneys,

/s/ Laurie J. Hurtt

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and

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SARAH HORTON,

By her attorney,

/s/ Jonathan R. Black

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Dated: February 8, 2007